



**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**  
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**DATE:** August 22, 2002

**TO:** Orange County Zoning Administrator

**FROM:** Planning and Development Services Department/Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA 02-0021 for a Site Development and Use Permits.

**PROPOSAL:** To construct a wireless telecommunication facility consisting of a 100 foot high antenna with a windmill stealth design and an equipment building at the base.

**LOCATION:** 4883 Portola Parkway, within the Third Supervisorial District.

**APPLICANT:** Mountain Union Telecom, Irvine Ranch Water District, property owner.

**STAFF** Marta B. Crane, AICP, Project Manager  
**CONTACT:** Phone: (714) 834-5144 FAX: (714) 834-4652

**SYNOPSIS:** The Current Planning Services Division recommends Zoning Administrator approval of the site development and use permit for subject to the attached findings and conditions of approval.

**BACKGROUND:**

The proposed project is a 100 foot high wireless telecommunications facility located within property of the Irvine Ranch Water District (IRWD). The site is in unincorporated Orange County and within the City of Irvine sphere of influence (SOI). The land is zoned A1 "General Agricultural" with a Suburban Residential (1B) land use designation in the General Plan.

Communication transmitting, reception or relay facilities are principal permitted uses in the A1 District subject to approval of a site development permit. The height limit in the A1 District is 35', however, Zoning Code Section 7-9-129.2 "Antennas" provides that said limit may be exceeded with the approval of a use permit by the Zoning Administrator.

**SURROUNDING LAND USE:**

The subject property is adjacent to residential development across from Portola Parkway to the south. To the north, east and west, the site is surrounded by agricultural uses also zoned A1 "General Agricultural" District.

**REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at 300 N. Flower, at the subject site, and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to various reviewing Orange County Divisions, to the City of Irvine, The Irvine Company and to the North Irvine Villages Association. These agencies reviewed the project, and provided comments, which have been addressed as revisions to the plans or as conditions of approval of the project. As of the writing of this staff report, there are no issues raised by any Orange County Divisions (Exhibit 1).

**CEQA COMPLIANCE:**

Negative Declaration No. PA 02-0021 was prepared for this project and was posted for public review from 7/17/02 to 8/06/02. Prior to project approval, the Zoning Administrator must find this Negative Declaration adequate to satisfy the requirements of CEQA. Appendix A contains the required CEQA Findings (Exhibit 2).

**DISCUSSION/ANALYSIS:**

The applicant is proposing to install a wireless telecommunication facility in a site owned and occupied by the Irvine Ranch Water District (IRWD) (Exhibit 3). The antenna is proposed as a three-sided metal structure in the form of a functional windmill intended to blend with the agricultural uses on the site, thereby minimizing visual impacts to the surroundings (Exhibit 4).

The proposed facility has a capacity to serve up to five (5) different wireless carriers. As a result of the multi-user co-location, the height of the antenna will be 100 feet, which is over the 35 foot height limitation in the A1 zoning district. However, the Orange County, Zoning Code Section 7-9-129.2 “Antennas” provides that this limit may be exceeded with the approval of a use permit by the Zoning Administrator.

This project also includes an equipment area at the base of the tower, which will support other communications related utilities. Two, 10’ by 20’ support buildings will be constructed to house the necessary equipment. The telecommunications facility will be fenced off from the rest of the IRWD site with a chain link fence. Pursuant to Section 7-9-132.1 (4) the Zoning Code an open mesh type fence must be concealed with landscaping to form an opaque screen, therefore, a condition of approval has been placed on the project to ensure that landscaping around the chain link is provided. This condition of approval will also address other aesthetic concerns related to the removal of existing mature trees as a result of this project, as well as addressing concerns expressed by the City of Irvine and the neighboring residential community. Condition #9 therefore, reiterates landscape code requirements and calls for a mitigation measure to provide replacement trees at a ratio of two new trees for each mature tree removed.

The excessive height of the proposed antenna (100’) is offset by the benefits of consolidating several carriers in a single site. In addition, the antenna’s stealth design, emulating a functional windmill such as those found in agricultural sites, is expected to blend in with the agricultural context of the IRWD site. The antenna’s final design is the result of modifications requested by staff and the community to refine

the final appearance of the windmill, which is expected to fully blend with its surrounding agricultural setting. The slim tower design and the rotating windmill at the top of the structure will emulate a fully functional agricultural windmill to fit well within the undeveloped area character north of this segment of Portola Parkway.

The antenna project as conditioned will meet the zoning requirements and will be consistent with its land use designation, which provides for opportunities for low-intensity, high technology facilities that do not require a commitment of significant infrastructure. Wireless telecommunications facilities are based on technical requirements, which include service area, geographical elevations, alignment with neighboring sites and customer demand components. The proposed site's characteristics meet all these requirements, thus enabling effective provision telecommunications service in the area in addition to being part of a countywide effort to provide adequate communication services.

### **CONCLUSION OR SUMMARY:**

The combination of the stealth design, and the physical characteristics of the site will result in minimal or no visual impacts to the surrounding area. Should the site development and use permits be approved as conditioned, the proposal will comply with all required development standards applicable to the project. Based on the analysis above, staff supports approval of the application, provided the applicant agrees to comply with the conditions of approval recommended for this project as stated in Appendix B of this report.

### **RECOMMENDED ACTION:**

The Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA01-0044 for a site development and use permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

Chad G. Brown, Chief  
CPSD/Site Planning Section

MBC /staff reports/PA 020021

### **APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**EXHIBITS:**

1. Correspondence
2. CEQA documentation
3. Site Photographs
4. Photo-simulation
5. Set of Full Scale Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 745.00 filed at the Development Processing Center, 300 N. Flower St, Santa Ana.